

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

ALOFT MEDIA, LLC,

Plaintiff,

v.

COMPUWARE CORP., et al.,

Defendants.

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CIVIL ACTION NO. 6:10-CV-256-LED-JDL

JURY TRIAL DEMANDED

**ORDER DISMISSING DEFENDANT VMWARE, INC.
WITHOUT PREJUDICE UNDER FED. R. CIV. P. 41(a)(2)**

Plaintiff Aloft Media, LLC's Unopposed Motion to Dismiss Defendant VMWare, Inc. Without Prejudice under Fed. R. Civ. P. 41(a)(2) shall be, and hereby is, GRANTED. Aloft's claims against VMware are hereby DISMISSED WITHOUT PREJUDICE, with Aloft and VMware each to bear their own costs, expenses and legal fees.

So ORDERED and SIGNED this 26th day of January, 2011.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**